

LOCAL AGENCY FORMATION COMMISSION COUNTY OF SAN BERNARDINO

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DATE: May 7, 2004

FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer

TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #11 – Designation of Special Counsel for Representation – City of Colton Island Annexation Proposals (LAFCO 2958 and LAFCO 2959)

RECOMMENDATION:

Retain Jeffrey Goldfarb of Rutan and Tucker as special counsel for LAFCO 2958 (City of Colton Island Annexations -- S-50) and LAFCO 2959 (City of Colton Island Annexation -- S-51)

BACKGROUND INFORMATION:

LAFCO Legal Counsel, Clark H. Alsop, is a partner in the firm Best Best and Krieger which is also the City Attorney for the City of Colton. Because of that dual representation, Mr. Alsop has declared a conflict on the City of Colton island annexation proposals as identified above. In accordance with adopted Commission procedures, staff has contacted Jeffrey Goldfarb of Rutan and Tucker to represent the Commission as he has in previous similar circumstances. Mr. Goldfarb has indicated his willingness to serve as special counsel. The action before the Commission at this hearing is to note Mr. Alsop's disqualification and to direct staff to retain Mr. Goldfarb for legal services as LAFCO Special Counsel.

Pursuant to Commission policy, the City of Colton will be required to pay the costs for special counsel representation.

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